



Shimshon Wexler <swexleresq@gmail.com>

Re: Corcia v. Barclays Bank Delaware et al - Case No. 7:17-cv-01751 - Barclays' Deposition

1 message

Shimshon Wexler <swexleresq@gmail.com>

Thu, Aug 17, 2017 at 2:01 PM

To: "Sizemore, Justin M." <JSizemore@reedsmith.com>

Ok thanks. I will be there for the deposition.

As for the deposition topics, I am giving you advanced notice that I will be asking about Barclays' policies and procedures. That goes to punitive damages - and those are necessary regardless of whether those policies and procedures were followed in investigating plaintiff's dispute. And your argument is absurd regarding the representative not having knowledge of documents not produced. He is required to know about those documents without respect as to whether they were produced to me or not.

As for documents produced by Experian, of course you didn't produce them but they were created because of your interaction with Experian- I am allowed to ask about those documents whether Experian properly reported what Barclays told them to report.

Sent from my iPhone

On Aug 17, 2017, at 1:00 PM, Sizemore, Justin M. <JSizemore@ReedSmith.com> wrote:

You told me you wished to take the depo in person, so we have arranged for a conference room at our Wilmington office beginning at noon on 8/24.

As for the topics, Barclays does not have corporate knowledge of documents produced by Experian. Barclays did not create those documents and Barclays does not control them. If you have questions about Experian's documents, you should ask Experian.

As for policies and procedures, the only issues in this case are whether Barclays complied with the requirements of the FCRA and, if it did not, whether your client can prove that such noncompliance caused him to suffer actual damages. It is immaterial whether Barclays complied with its own "investigation or reinvestigation"

procedures. For these reasons, no such procedures have been produced. See Barclays' 7/5/17 Objections to Plaintiff's Requests for Production. And as you acknowledged when we last spoke, you cannot expect a Barclays rep. to have knowledge of docs that haven't been produced.

Justin M. Sizemore
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ReedSmith LLP

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From: Shimshon Wexler [mailto:swexleresq@gmail.com]
Sent: Thursday, August 17, 2017 12:02 PM
To: Sizemore, Justin M.; Japaridze, Nana; Maller, Rebecca D; hgolden@jonesday.com; Schoenberg, Pamela L.
Subject: Re: Corcia v. Barclays Bank Delaware et al - Case No. 7:17-cv-01751 - Barclays' Deposition

Also, I want to take the Barclays deposition in person and not telephonically.

Sent from my iPhone

On Aug 17, 2017, at 11:58 AM, Shimshon Wexler <swexleresq@gmail.com> wrote:

Justin- as indicated in the email below the deposition will be based on allegations surrounding the complaint as well as all documents produced in the case whether by Experian whether by plaintiff or whether by Barclays. It will also be on Barclays' procedures in investigating disputes. It will not be limited to documents produced by Barclays.

I am working on getting you dates for Plaintiff's deposition.

Sent from my iPhone

Begin forwarded message:

From: Shimshon Wexler <swexleresq@gmail.com>
Date: July 11, 2017 at 4:28:25 PM EDT
To: "Sizemore, Justin M." <JSizemore@reedsmith.com>
Cc: "Japaridze, Nana" <NJaparidze@reedsmith.com>
Subject: Re: Corcia v. Barclays Bank Delaware et al - Case No. 7:17-cv-01751 - Barclays' Objections and Responses

It would just be based on the documents produced by Experian, Barclays and the Plaintiff and the procedures Barclays employs in investigating disputes as well as the allegations surrounding the complaint.

On Tue, Jul 11, 2017 at 4:25 PM, Sizemore, Justin M. <JSizemore@reedsmith.com> wrote:

Shimshon:

Please send us a proposed list of topics so we may consider your request.

Justin

From: Shimshon Wexler [mailto:swexleresq@gmail.com]
Sent: Tuesday, July 11, 2017 2:50 PM
To: Maller, Rebecca D
Cc: Harrison Golden; Japaridze, Nana
Subject: Re: Corcia v. Barclays Bank Delaware et al - Case No. 7:17-cv-01751 -
Barclays' Objections and Responses

Rebecca- We have set up Experian's deposition for August 31. What dates works for a 30(b)(6) deposition of Barclays?

On Wed, Jul 5, 2017 at 4:04 PM, Maller, Rebecca D <RMaller@reedsmit.com> wrote:

Counsel:

Attached please find Barclays' Objections and Responses to Plaintiff's Request for Production and Interrogatories, and Barclays' first production of documents.

Thank you.

Rebecca D. Maller

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